

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

Amendment of Parts 1, 2 and 21
of The Commission's Rules
Governing Use of the Frequencies
In the 2.1 and 2.5 GHz Band

PR Docket No. 92-80
RM-7909

To: The Commission

ORIGINAL
FILE

REPLY COMMENTS
OF THE
COMMUNITY TELECOMMUNICATIONS NETWORK

The Community Telecommunications Network ("CTN") hereby
replies to the initial comments submitted in response to the
Notice of Proposed Rulemaking ("NPRM") in the above-captioned
proceeding.

I. CTN's INTEREST IN THIS PROCEEDING.

CTN is a consortium of Detroit-area ITFS licenses and
permittees. Its membership includes the following institutions:
The Archdiocese of Detroit (Channels A1-4), Wayne State
University (Channels B1-2, D1 and E1-2), McComb Intermediate

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School District (Channels B3-4), Wayne Regional Educational Service Agency/Wayne Intermediate School District (Channels C1 and C4), Detroit Public Schools (Channels C2-3), Detroit Educational Television Foundation (Channels D2-4), and Oakland Intermediate School District (Channels G3-4). CTN seeks to ensure that, in its laudable efforts to streamline the processing of MMDS applications and expedite the delivery of wireless cable service, the Commission does not adversely affect the ability of ITFS licenses to provide vital educational services.

II. IN ITS EFFORT TO FACILITATE THE
DEVELOPMENT OF WIRELESS CABLE, THE
COMMISSION MUST EXERCISE CAUTION TO
AVOID INJURY TO ITFS LICENSES.

A. Compilation Of A MDS/ITFS Data Base.

CTN supports the establishment of data bases for both MDS (particularly the MMDS channels, including the H-Group) and ITFS. Too often, MMDS technical proposals are predicated on a substantial misapprehension as to the extent of ITFS operations. An accurate data base of the sort envisioned in the NPRM could further the expeditious development of wireless cable networks, while at the same time ensuring that ITFS users are protected from interference. See, e.g., Comments of Ana G. Mendez Educational Foundation, et al. ("Mendez") at 10-11.

**B. The Proposed Notice Period And Window
For Objections To New MMDS Operations
Are Inadequate.**

There is no credible reason why a MMDS licensee cannot provide local ITFS stations a minimum of thirty days notice prior to initiation of operations; certainly, the start-up target date is known to the MMDS licensee well in advance. Requiring greater than the proposed fourteen days notice would place no demonstrable burden on MMDS licensees, but it would afford ITFS stations a reasonable amount of time within which to review the pertinent data and make the other preparations necessary for an accurate interference assessment. Similarly, the limited thirty-day objection period proposed in the NPRM overlooks the sometimes variable qualities of microwave transmissions, as well as the practical capacity of educational institutions to make a reliable assessment of the potential for interference from a new MMDS station. See, e.g., Comments of Mendez at 8-10; Comments of the Arizona Board of Regents for Arizona State University Board of Trustees, et al. ("Arizona") at 7-9; Comment of the Indiana Higher Education Telecommunications System, et al. ("Indiana") at 17-26.

While fashioning a mechanism that will permit the expeditious delivery of wireless cable services is an important public interest goal, the energetic pursuit of that end should

not be permitted to adversely affect the ability of ITFS licenses to provide what must be viewed as an even more valuable service within the overall public interest standard of the Communications Act: the delivery of educational services to those unable to be present in a traditional classroom.

III. STANDARDIZED MILEAGE SEPARATIONS
SHOULD NOT BE APPLIED TO ITFS.

CTN has no view on the wisdom of establishing mileage separation requirements for MMDS stations vis-a-vis other co-channel or adjacent-channel MMDS facilities. WSU is greatly concerned, however, that such an approach not be imposed on MMDS stations vis-a-vis ITFS operations. The potential for interference to a given ITFS receiver may turn on a host of factors that transcend any arbitrary mileage separation. See, e.g., Comments of Indiana at 12-16; Mendez at 6-8. The public interest would not be served by establishing a regulatory framework in which ITFS licensees would be forced to expend their extremely scarce resources combating instances of interference that happened to defy the technical assumptions that supported the adoption of a uniform separation standard.

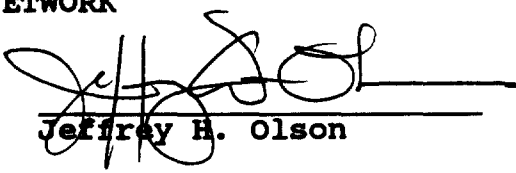
CONCLUSION

As the result of the foregoing, CTN requests that the Commission exercise due caution for the impact on the ITFS community of any modifications to the MDS regulatory structure.

Respectfully submitted,

COMMUNITY TELECOMMUNICATIONS
NETWORK

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